
SUPPLEMENTAL MATERIAL
JULY 28, 2004
CITY COMMISSION MEETING

SUPPLEMENTAL MATERIAL

C6 - Commission Committee Reports

- C6B Report Of The General Obligation Bond Oversight Committee Meeting Of July 12, 2004: 1) Change Order Report; 2) Recommendation To City Commission: a) Collins Park Cultural Center A/E Award; 3) Project Status Report: a) Fire Station No. 2; b) Fire Station No. 4; c) Normandy Isle Park And Pool; 4) Informational Items: a) Updated Calendar Of Scheduled Community Meetings; b) Altos Del Mar Park Engineering Report; c) Lummus Park South Pointe RDA TIF Appropriation.

(Additional Information - LTC)

C7 - Resolutions

- C7L A Resolution Approving And Authorizing The Mayor And City Clerk To Execute Amendment No. 1 To The Management Agreement Between The City Of Miami Beach And SMG For The Miami Beach Convention Center And Jackie Gleason Theater Of The Performing Arts; Said Amendment Electing To Have SMG Operate, Manage, And Promote The Byron-Carlyle Theater, The Colony Theater, And The Acorn Theater, For An Initial Two (2) Year Term, Commencing On October 1, 2004, And Ending On September 30, 2006, With An Option To Renew For Two (2) Additional One (1) Year Terms, At The City's Discretion, At An Additional Fee Not To Exceed \$40,000 Per Year; Providing Further For Payment By SMG To The City Of The Additional Capital Contribution, As Defined In Amendment No. 1.

(Tourism & Cultural Development)

(Revised Agreement)

R7 - Resolutions

- R7A A Resolution Approving A Concept Plan For The Parcels Known As The Alaska Parcel, Goodman Terrace, The Hinson Parcel, Blocks 51 And 52 And Block 1; And Providing An Effective Date.

(City Manager's Office)

(Additional Resolution)

R7 - Resolutions (Continued)

- R7B A Resolution Approving And Authorizing The Mayor And City Clerk To Execute A Professional Services Agreement With MC Harry, As The Top-Ranked Firm Pursuant To Request For Qualifications No. 02-03/04 For The Rotunda Renovation Project, Which Included Work For The Design Of Renovation To Collins Park, For Planning, Design, Bid/Award And Construction Administration Services In The Amount Of \$657,072; Appropriating \$56,514 From Parking Funds For Said Agreement; Further Accepting And Appropriating A \$20,000 Donation From The Banana Republic Foundation For The Renovation Of The Rotunda. **Joint City Commission and Redevelopment Agency**
(Capital Improvement Projects)
(Resolution)
- R7C A Resolution Authorizing The City Manager, Or His Designee To Select, Negotiate, Award And Reject All Bids, Contracts, Agreements, Purchase Orders, Change Orders And Grant Applications; Renew Existing Contracts Which May Expire; Terminate Existing Contracts As Needed; From The Last Commission Meeting On July 28, 2004, Until The First Regularly Scheduled Commission Meeting In September 8, 2004, Subject To Ratification By The City Commission At Its First Regularly Scheduled Meeting On September 8, 2004. **Joint City Commission and Redevelopment Agency**
(Procurement)
(Additional Information)
- R7I A Resolution Authorizing The Administration To Issue A Request For Qualifications (RFQ) For Architecture, Landscape Architecture, Engineering, And Construction Administration Services Needed To Complete The Planning, Construction Design, And Construction Of The South Pointe Park Improvement Project With Funding Provided By The Series 2000 General Obligation Bond, South Pointe RDA Funding, And The 1995 Parks Bond.
(Capital Improvement Projects)
(Resolution)
- R7J A Resolution Appropriating Funds, In The Amount Of \$1,450,578, From The Following Funding Sources: \$342,004 From The General Fund Capital Replacement Fleet Funds For Fire Department Vehicles; \$435,000 From Fleet Funds Originally Allocated To Purchase Fire Vehicles That Are Being Funded Through Other Funds; \$226,972 From The Fiscal Year 2005 Distribution Of North Beach Quality Of Life Funds; \$443,512 From The 1999 General Obligation Bond For Shorelines And Seawalls; And \$3,090 From The Stormwater Bond Fund Series 2000, To Provide Sufficient Funding To Commence Construction Of The New Fire Station No. 4 Project And The Adjacent Seawall Repairs And Restoration Scope.
(Capital Improvement Projects)
(Resolution)

CITY OF MIAMI BEACH
Office of the City Manager
Letter to Commission No. 194-2004



To: Mayor David Dermer and
Members of the City Commission

Date: July 27, 2004

From: Jorge M. Gonzalez
City Manager

Subject: **MIAMI-DADE COUNTY GENERAL OBLIGATION BOND**

At a special meeting on Tuesday, July 20, the Board of County Commissioners approved eight (8) ballot questions (attached) that will go before voters at the November 2 general election to determine the fate of the County's proposed \$2.75 billion General Obligation Bond (GOB) issue. Five of the resolutions passed 9-1; the three other resolutions passed 10-0. As approved, due to additional requests by the commissioners at the meeting, the proposed total amount of the bond issue is \$2.925 billion. The County Manager stated that the additional capacity was available because the Florida Supreme Court recently struck down a proposal to double the property tax homestead exemption.

The ballot questions propose funding for improvements in the following project areas: water, sewer and flood control; park and recreational facilities; bridges, public infrastructure and neighborhoods; public safety facilities; emergency and healthcare facilities; public services outreach and facilities; housing for the elderly and working families; and cultural, library and multi-cultural educational facilities. If approved, construction of the various projects would take place over the next 10 to 15 years without raising existing millage rates.

In addition to \$55 million for the Miami Beach Convention Center, the proposed bond includes \$26,954,000 for projects in Miami Beach (attached). The Wolfsonian/FIU is also proposed to receive \$10 million. The bond includes \$17.5 million for beach renourishment, of which \$12.5 million is for projects in County Commission Districts 4 (Barreiro), 5 (Heyman), and 7 (Morales), as well as funding for affordable housing and health care.

If you have any questions, please do not hesitate to contact me.

JMG\CMC/kc

c: Christina M. Cuervo, Assistant City Manager
Robert Middaugh, Assistant City Manager

Attachment

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CITY OF MIAMI BEACH OFFICE

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BALLOT QUESTIONS AND TOTAL AMOUNTS

Question #1 – To Construct and Improve Water, Sewer and Flood Control Systems
(\$378,183,000)

Question #2 – To Construct and Improve Park and Recreational Facilities
(\$680,258,000)

Question #3 – To Construct and Improve Bridges, Public Infrastructure and
Neighborhood Improvements (\$352,182,000)

Question #4 – To Construct and Improve Public Safety Facilities (\$341,087,000)

Question #5 – To Construct and Improve Emergency and Healthcare Facilities
(\$171,281,000)

Question #6 – To Construct and Improve Public Services Outreach and Facilities
(\$255,070,000)

Question #7 – To Construct and Improve Housing for the Elderly and Families
(\$194,997,000)

Question #8 – To Construct and Improve Cultural, Library and Multicultural Educational
Facilities (\$552,692,000)

PROJECTS WITHIN THE CITY OF MIAMI BEACH

Project	GOB Funding	Question
Lummus Park	\$7,000,000	2
South Pointe Park	\$5,000,000	2
Beach Maintenance Facility	\$500,000	2
Beachfront Restrooms	\$250,000	2
Flamingo Park	\$3,099,000	2
Normandy Shores Golf Course	\$1,000,000	2
Band Shell Park	\$1,500,000	2
Scott Rakow Youth Center	\$1,000,000	2
41 st Street Phase II Bridge Repair/Restoration	\$750,000	3
Fire Station #2 EOC and Historic Restoration	\$2,000,000	4
Fire Station #4	\$1,000,000	4
South Shore Community Center	\$500,000	6
Flagler Memorial Monument	\$250,000	8
Monument Island	\$750,000	8
North Shore Branch Library	\$355,000	8
Historic City Hall	\$2,000,000	8
TOTAL	\$26,954,000	
 Miami Beach Convention Center	 \$55,000,000	 6
Improvements to the Wolfsonian	\$10,000,000	8
TOTAL WITH CONVENTION CENTER AND WOLFSONIAN	\$91,954,000	
 Beach Erosion Mitigation and Renourishment Project	 \$17,500,000	 2

**AMENDMENT NO. 1 TO THE MANAGEMENT AGREEMENT BETWEEN THE CITY
OF MIAMI BEACH, FLORIDA AND SMG FOR THE MIAMI BEACH CONVENTION
CENTER AND JACKIE GLEASON THEATER OF THE PERFORMING ARTS FOR
THE OPERATION, MANAGEMENT AND PROMOTION OF THE BYRON-CARLYE
THEATER, COLONY THEATER, AND ACORN THEATER**

This Amendment No. 1 to the Agreement, is made and entered into this ____ day of _____, 2004, by and between the **CITY OF MIAMI BEACH, FLORIDA**, a municipal corporation having its principal office at 1700 Convention Center Drive, Miami Beach, Florida, 33139 (City), and **SMG**, a Pennsylvania general partnership whose current address is 701 Market Street, 4th Floor, Philadelphia, PA, 19106 (SMG).

RECITALS

WHEREAS, on October 15, 2003, the Mayor and City Commission approved Resolution No. 2003-25381, approving and authorizing the Mayor and City Clerk to execute a Management Agreement between the City and SMG for the management, promotion, and operation of the Miami Beach Convention Center (the Convention Center) and Jackie Gleason Theater of the Performing Arts (the Theater), including, without limitation, all adjacent grounds, sidewalks, rights-of-way and marshaling areas, but not including the adjacent parking lots (collectively with the Convention Center and Theater, the Facility) located in the City of Miami Beach, Florida (the Agreement); and

WHEREAS, pursuant to Section 2.2 of the Agreement, the City may elect, upon thirty (30) days written notice to SMG, at any time during the Management Term or any Renewal Term, as such terms are defined in the Agreement, to have SMG operate, manage, and promote other City cultural facilities (including, without limitation, the Byron-Carlyle Theater, the Acorn Theater, the Band Shell, and/or the Colony Theater); and

WHEREAS, the City has hereby elected, as memorialized in this Amendment No. 1 to the Agreement, to have SMG operate, manage, and promote the following City cultural facilities:

- a) Byron-Carlyle Theater, located at 500 71st Street, Miami Beach, FL 33141;
- b) Colony Theater, located at 1040 Lincoln Road, Miami Beach, FL 33139;
- c) Acorn Theater, located at 2100 Washington Avenue, Miami Beach, FL 33139; (For purposes of this Amendment No. 1, the above City cultural facilities are hereinafter referred to as the "Additional Facilities").

NOW, THEREFORE, in consideration of the mutual premises, covenants and agreements herein contained, and other good and valuable consideration, in receipt and adequacy of which are hereby acknowledged and intending to be legally bound, the City and SMG hereby amend the Agreement as follows:

1. **Recitals.** The foregoing recitals are true and correct and incorporated by reference herein.

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2. Section 1 of the Agreement, entitled "Definitions", is amended as follows:

"Facility"—as defined in the Background Section of this Agreement, which (i) for the Convention Center includes the exhibit halls, meeting rooms, common areas, lobby areas, executive offices and utilities facilities related thereto and (ii) for the Theater includes the lobby areas, common areas, audience chambers, backstage areas, dressing rooms, stage areas and rehearsal hall related thereto. If during the Management Term or any Renewal Term, the City elects to have SMG manage, promote and operate other City cultural facilities pursuant to Section 2.2(b) hereof (the "Additional Facilities"), such other facility or facilities shall be deemed included within the definition of "Facility" hereunder. Accordingly, the City and SMG herein acknowledge and agree that the City, pursuant to Amendment No. 1 to the Agreement, has elected to have SMG manage, promote and operate the following Additional Facilities:

- a) Byron-Carlyle Theater, located at 500 71st Street, Miami Beach, Florida 33141;
- b) Colony Theater, located at 1040 Lincoln Road, Miami Beach, FL 33139; and
- c) Acorn Theater, located at 2100 Washington Avenue, Miami Beach, FL 33139.

The aforesated Additional Facilities shall be deemed included within the definition of Facility hereunder.

3. Section 2.2 of the Agreement, entitled "Scope of Services", is amended to include the additional scope of work and management structure, pertaining to the additional respective responsibilities of the City and SMG, with regard to the management, promotion and operation of the Additional Facilities; said scope of work and management structure is attached hereto and incorporated herein as Exhibit "A" to this Amendment No. 1.

4. Section 2.2 of the Agreement, entitled "Scope of Services"; subsection (b) therein, entitled "Additional Facilities", is amended as follows:

- (b) The City may elect, upon thirty (30) days prior written notice to SMG, at any time during the Management Term or any Renewal Term to have SMG operate, manage and promote other City cultural facilities (including, without limitation, the Byron-Carlyle Theater, the Acorn Theater, the Band Shell and/or the Colony Theater; such facilities are referred to herein, individually and/or collectively, as elected by the City, as the "Additional Facilities") subject to the City's policies and directives and under the City's general guidance for programming. Such election will be memorialized as an amendment to this Agreement upon the same terms and conditions provided herein. ~~Upon the effective date of such election, the Management Fee payable to SMG pursuant to Section 4.1(a)(i) hereof shall increase by mutually agreed upon amount not to exceed \$50,000~~

5. The management fee for the Additional Facilities (Additional Management Fee) shall be payable to SMG as follows (which amount shall be subject to CPI adjustment as provided in Section 4.1(a)(i) hereof):

- (a) \$20,000 annually for the operation, management, and promotion of the Byron-Carlyle Theater and Acorn Theater, payable in equal monthly installments, commencing on October 1, 2004; and
- (b) an additional \$20,000 annually for the operation, management, and promotion of the Colony Theater, payable in equal monthly installments (and pro-rated, for the first year of the Management Term). The commencement date for the Colony Theater shall be the date of the issuance by the City to SMG of a written Notice to Proceed.

6. Section 3 of the Agreement, entitled "Management Term and Renewal Term", is amended to include the following additional paragraph:

The Management Term for Amendment No. 1 shall (i) for the Byron-Carlyle Theater and Acorn Theater, commence on October 1, 2004, and end on midnight September 30, 2006, unless earlier terminated pursuant to the provisions of the Agreement; and (ii) for the Colony Theater, commence upon issuance of a written Notice to Proceed by the City to SMG, and end on midnight, September 30, 2006. The City shall have the right, at its sole option and discretion, to extend this Amendment No. 1 for two (2) successive one (1) year terms (each, a "Renewal Term") by giving written notice to SMG of such intention not less than ninety (90) days prior to the expiration of the Management Term or an exercised Renewal Term.

7. 5.10(a) of this Agreement, entitled "SMG Capital Contributions," is amended as follows:

- (a) Upon the execution and delivery of this Agreement, SMG shall pay to the City the sum of One Hundred Fifty Thousand Dollars (\$150,000) (the "Initial Capital Contribution"), and an additional ~~Sixty Two Thousand, Five Hundred Dollars (\$62,500)~~ annual sum equal to twenty-five percent (25%) of the portion of the Additional Management Fee (the "Additional Capital Contribution") (if the City elects within the first year, and if not on a prorated basis thereafter based on the number of years remaining in the current Management Term, pursuant to Section 2.2(b) hereof, to have SMG operate, manage and promote the Additional Facilities payable by SMG as follows:

- (a) for the Byron-Carlyle Theater and Acorn Theater, within thirty (30) days of October 1, 2004; and thereafter on October 1st of each subsequent year of the Management Term, and any Renewal Term(s); and
- (b) for the Colony Theater, within thirty (30) days following the issuance of the written Notice to Proceed by the City, and

thereafter on October 1st of each subsequent year of the Management Term and any Renewal Term(s);

which sums shall be used at the sole discretion of the City. In the event the City exercises its right pursuant to Section 3.1 above to extend this Agreement for any one or more Renewal Terms, SMG shall pay to the City the sum of Fifty Thousand Dollars (\$50,000) (the "Renewal Term Capital Contribution") for each Renewal Term granted to SMG.

8. Section 12.5 of the Agreement, entitled "Additional Facilities/City's Right to Terminate for Convenience", is added to the Agreement as follows:

12.5 Additional Facilities/City's Right to Terminate for Convenience.

Notwithstanding the provisions of this Section 12, Amendment No. 1 of the Agreement, SMG's operation and management of the Additional Facilities, may be terminated by the City, for convenience and without cause, at any time during the Term herein, upon the furnishing of thirty (30) days prior written notice to SMG.

9. No Further Modifications. Except as provided in this Amendment No. 1, the Agreement remains unmodified and in full force and effect.

IN WITNESS WHEREOF, this Agreement has been duly executed by the parties hereto as of the day and year first above written.

ATTEST:

CITY OF MIAMI BEACH, FLORIDA

City Clerk

Mayor

_____ day of _____, 2004.

SMG

ATTEST:

President

Secretary

Print Name

_____ day of _____, 2004.

**APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION**



City Attorney

7/27/04

Date

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA APPROVING A CONCEPT PLAN FOR THE PARCELS KNOWN AS THE ALASKA PARCEL, GOODMAN TERRACE, THE HINSON PARCEL, BLOCKS 51 AND 52 AND BLOCK 1; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, East Coastline Development, Ltd. ("East Coastline"), West Side Partners, Ltd. ("West Side"), among others, have initiated litigation against the City of Miami Beach (the "City") and the Department of Community Affairs, in various actions respectively claiming damages and rights under the Bert J. Harris Private Property Rights Protection Act, other civil rights violations and other relief in Circuit Court Case No. 98-13274 CA 01(30), and United States District Court Case No. 01-4921-CIV-Moreno, and Florida Division of Administrative Hearings Case No. 02-3283GM; and

WHEREAS, the Mayor and City Commission have heretofore approved a Settlement Agreement, in concept, by and between the City and East Coastline, West Side, and related parties, with respect to the above litigation, pursuant to Resolution No.2004-25509, adopted on February 25, 2004; and

WHEREAS, the Mayor and City Commission approved a formal Settlement Agreement to like effect, pursuant to Resolution No. _____, adopted on _____, 2004; and

WHEREAS, Section 5 of the Settlement Agreement provides, among other things, for consideration of a Concept Plan for the properties known as the Alaska Parcel, the Goodman Terrace and Hinson Parcels, Blocks 51 and 52 and Block 1 (the "Affected Properties"), attached hereto as Exhibit "A" (the "Concept Plan") to be considered by the Mayor and City Commission, and approved pursuant to the Settlement Agreement; and

WHEREAS, the Concept Plan has undergone citizen review and numerous public meetings and workshops through an ad hoc committee of concerned citizens and has also been reviewed by the City staff, the Planning Board and the Design Review Board, all of whom have recommended approval thereof.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND THE CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA:

That the City Commission hereby approves the Concept Plan, in substantially the form attached hereto as Exhibit "A". The Concept Plan shall be used as a guide in implementing the Settlement Agreement, except that all design approvals shall be in conformity with the Concept Plan on the Affected Properties. Implementation of the development shown on the Concept Plan

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shall be pursuant to the terms of the Settlement Agreement. In the event of any conflict between the Concept Plan and the Land Development Regulations of the City, the provisions of the Land Development Regulations shall govern. This Resolution shall become effective immediately upon adoption.



PASSED and ADOPTED this ____ day of _____, 2004.

ATTEST:

MAYOR

CITY CLERK

APPROVED AS TO
FORM AND LANGUAGE
& FOR EXECUTION

 7-26-04
CITY ATTORNEY DATE


RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING AND AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH MC HARRY, AS THE TOP-RANKED FIRM PURSUANT TO REQUEST FOR QUALIFICATIONS NO. 02-03/04 FOR THE ROTUNDA RENOVATION PROJECT, WHICH INCLUDED WORK FOR THE DESIGN OF RENOVATION TO COLLINS PARK, FOR PLANNING, DESIGN, BID/AWARD AND CONSTRUCTION ADMINISTRATION SERVICES IN THE AMOUNT OF \$657,072; APPROPRIATING \$56,514 FROM PARKING FUNDS FOR SAID AGREEMENT; FURTHER ACCEPTING AND APPROPRIATING A \$20,000 DONATION FROM THE BANANA REPUBLIC FOUNDATION FOR THE RENOVATION OF THE ROTUNDA.

WHEREAS, on September 23, 1998 the Mayor and City Commission adopted Resolution No.98-22904, authorizing the Mayor and City Clerk to execute an Agreement with the firm of Robert A.M. Stern Architects (Stern) for the Architectural and Engineering Design of a Regional Library, and a Master Plan for Collins Park and the Cultural Campus Streetscape (the Project); and

WHEREAS, on November 2, 1999 the voters of Miami Beach approved the issuance of an approximately \$92 Million General Obligation Bond, which included recommended improvements for complete renovation of Collins Park, \$1.8 million was allocated for the costs for the renovation; and

WHEREAS, the Administration and Stern agreed to negotiate and proceed with Project design in phases. Approval was given to Stern to complete the design and construction drawings of the Regional Library, the Master Plan for Collins Park, and Cultural Campus Streetscape; and

WHEREAS, when the Collins Park Phase was ready to begin, the City and Stern could not reach an agreement on a fair market price for the implementation of the master plan design, and

WHEREAS, the Collins Park Oversight Committee made a recommendation on January 16, 2004 to terminate all negotiations with Stern, add the scope for the Design phase of Collins Park, Parking Lot and Streetscape to the Rotunda Renovation Request for Qualifications (RFQ) No. 02-03/04 and to do both Projects at the same time with a single consultant; and

WHEREAS, RFQ No. 02-03/04 for the Rotunda Renovation Project was issued on October 29, 2003. On February 9, 2004 Addendum No. 4 to the RFQ was issued, which included renovations to Collins Park, the Parking Lot to the East of the park, and adjacent Streetscape Improvements; and

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WHEREAS, it is estimated that the total cost for construction of these desired improvements will be approximately \$5.5 million, to be funded mainly from the 1999 General Obligation Bond funds, City Center Redevelopment Agency (RDA) Tax Increments Funds (TIF), and Parking Enterprise Funds; and

WHEREAS, the Evaluation Committee met and ranked MC Harry Associates (MC Harry) as the top firm and the City Commission authorized the Administration to negotiate a fee on April 14, 2004; and

WHEREAS, City staff negotiated a total planning, design and construction administration services and reimbursable fee of \$657,072, and

WHEREAS, Construction Administration services, in the amount of \$168,148, are included in the negotiated fee which represents approximately 11% of the total overall construction project estimate of \$5.5 million , and an estimated timeframe of thirteen (13) months; and

WHEREAS, the final duration on the construction schedule will be determined during negotiations on the final language of the Agreement with MC Harry, and the final cost for the monthly charges on Construction Administration services will be included in the Agreement; and

WHEREAS, the Administration recommends that the Mayor and City Commission approve the award of the Architectural and Engineering Services Agreement for planning, design and construction administration in the amount of \$657,072 to the firm of MC Harry Associates and appropriate the necessary funding for the Agreement.

NOW THERE BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the Mayor and the City Commission approve and authorize the Mayor and City Clerk to execute a Professional Services Agreement with Mc Harry, as the top-ranked firm pursuant to Request for Qualifications No. 02-03/04 for the Rotunda Renovation Project, which included work for the design of renovation to Collins Park, for planning, design, bid/award and construction administration services in the amount of \$657,072; appropriating \$56,514 from Parking Funds for said agreement; further accepting and appropriating a \$20,000 donation from the Banana Republic Foundation for the renovation of the Rotunda.

PASSED AND ADOPTED this _____ day of _____, 2004.


ATTEST:

CITY CLERK

MAYOR

**APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION**

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City Attorney

Date

AUGUST RECESS
ANTICIPATED CITY MANAGER CONTRACT AWARDS

- Issue an RFQ for Stormwater Master Plan Engineering Report – The City issued Stormwater Bonds in 2000 to address the top 25% of identified needs. These needs were prioritized pursuant to an Engineering Master Plan that was completed in 1997. This Engineering Report was updated to support the 2000 Series Stormwater Bonds valued at \$52 million. As the City has progressed through the design phase for these improvements, it has been established that additional funds are necessary in order to fully address the intent of the 2000 Series. The purpose of the Request for Qualification (RFQ) is to hire a firm to prepare an update to the 2000 Engineering Report to support additional bonds. Also, the City plans to include an option to perform a new Master Plan to address the remaining Stormwater basins.
- South Pointe Streetscape – Phases III-V Authorization to Negotiate A/E Agreement – The City has issued a Request for Qualifications (RFQ) for Planning, Design, Bid/Award and Construction Administration services from an Architect/Engineering firm for the South Pointe Streetscape Phases III – V project. A selection committee has met and short listed four (4) firms to obtain further information from. The presentations by those four (4) firms were held Friday, July 23, 2004, and the ranking by the committee is as follows. 1) Chen And Associates 2) Wolfberg Alvarez 3) Keith and Schnars 4) Edwards and Kelcey. If this does happen while the City Commission is on break, the Administration will proceed with negotiations with that top ranked firm without returning to the City Commission for authorization to do so, and if those negotiations are not successful, negotiations with the second ranked firm, and if not successful, negotiations with the third ranked firm will be attempted. The Administration will bring an item to the City Commission regarding the award of an agreement for said services once a fee agreement is reached.
- Issue an RFQ for Design, Bid/Award and Construction Administration Services for the Biscayne Pointe Neighborhood Right-of-Way Infrastructure Improvement project – The City had an agreement with The Corradino Group for Planning services on the Biscayne Pointe Neighborhood Right-of-Way Infrastructure Improvement project. The Planning services were completed with the adoption of the Basis of Design Report (BODR) for the project on October 15, 2003. The Administration and The Corradino Group began negotiations for Design, Bid/Award and Construction Administration Services, but were unable to agree on a fee for those services. It is anticipated that the Administration will issue a Request for Qualifications (RFQ) while the City Commission is on break to solicit Qualification packages from Architect/Engineering (A/E) firms interested in completing this project.

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- Issue an RFQ for Design, Bid/Award and Construction Administration Services for the North Shore Neighborhood Right-of-Way Infrastructure Improvement project – The City had an agreement with The Corradino Group for Planning services on the North Shore Neighborhood Right-of-Way Infrastructure Improvement project. The Planning services were completed with the adoption of the Basis of Design Report (BODR) for the project on July 30, 2003. The Administration and The Corradino Group began negotiations for Design, Bid/Award and Construction Administration Services, but were unable to agree on a fee for those services. It is anticipated that the Administration will issue a Request for Qualifications (RFQ) while the City Commission is on break to solicit Qualification packages from Architect/Engineering (A/E) firms interested in completing this project.

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AUTHORIZING THE ADMINISTRATION TO ISSUE A REQUEST FOR QUALIFICATIONS (RFQ) FOR ARCHITECTURE, LANDSCAPE ARCHITECTURE, ENGINEERING, AND CONSTRUCTION ADMINISTRATION SERVICES NEEDED TO COMPLETE THE PLANNING, CONSTRUCTION DESIGN, AND CONSTRUCTION OF THE SOUTH POINTE PARK IMPROVEMENT PROJECT WITH FUNDING PROVIDED BY THE SERIES 2000 GENERAL OBLIGATION BOND, SOUTH POINTE RDA FUNDING, AND THE 1995 PARKS BOND.

WHEREAS, on November 8, 1994, the citizens of the City of Miami Beach approved the issuance of \$15 million in general obligation bonds for park improvements (Parks Bond); and

WHEREAS, on July 16, 1997, the Mayor and City Commission authorized the City to enter into an agreement with Bermello & Ajamil (B&A) for professional services related to the planning and design of improvements to North Shore Park, North Shore Open Space Park, Pine Tree Park, the Parks Maintenance Facility, South Pointe Park, and Lummus Park; and

WHEREAS, B&A completed substantial planning efforts for South Pointe Park but, due to various delays and complications experienced, work on design and construction documents had not begun by November 2002, at which time the City and B&A mutually agreed to terminate the firm's services in regard to South Pointe Park through City Commission action on November 13, 2002;

WHEREAS, once B&A's services were terminated for South Pointe Park, there was a need to issue a Request for Qualifications for professional services including architecture, landscape architecture, engineering, and construction administration services to complete the planning, construction design, and construction of improvements to South Pointe Park; and

WHEREAS, on November 13, 2002, the City Commission approved the issuance of Request for Qualifications (RFQ) No. 16-02/03 for the Planning, Design, and Construction Administration Services needed to complete the planning, construction design, and construction of improvements to South Pointe Park; and

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WHEREAS, RFQ No. 16-02/03 was issued by the City's Procurement Division on December 12, 2002, with a submission deadline of January 31, 2003 by which time eleven proposals were received; and

WHEREAS, on January 27, 2003, the City Manager issued LTC No. 24-2003 which appointed an Evaluation Committee to evaluate and rank the proposals received; and

WHEREAS, the Committee convened on March 3, 2003 to evaluate proposals and agreed to shortlist 5 out of the 11 firms that submitted proposals; and

WHEREAS, at approximately the same time that the Evaluation Committee met, the City began considering options for settling land use and zoning legal conflicts affecting a number of South Pointe area properties; and

WHEREAS, some of the options considered would involve the City receiving title to additional land adjacent to South Pointe Park; and

WHEREAS, if the City did receive this land, it would be in the City's best interest to add the land to South Pointe Park and have the same firm that is chosen to design South Pointe Park design improvements to the added land; and

WHEREAS, for this reason, the City postponed the second meeting of the Evaluation Committee with the intent of completing the South Pointe legal settlement before selecting a design firm; and

WHEREAS, while it was the City's expectation that this settlement would be reached in several months, a settlement had still not been reached by February 25, 2004, at which time the City Commission approved the rejection of all responses to RFQ No. 16-02/03, as the proposals could not continue to be held valid for an indefinite period of time; and

WHEREAS, the City is scheduled to approve a final settlement agreement on July 28, 2004, which includes options that could add up to 87,500 s.f. of land to the Park; and

WHEREAS, this expansion of the Park area will require that the additional land be successfully integrated into the existing Park, and that the resulting expanded Park is designed in a manner that creates an optimal relationship between the Park and the surrounding urban fabric; and

WHEREAS, now that the settlement agreement is finally scheduled to be resolved, and the final scope of South Pointe Park improvements can be identified, there is a need to reissue a Request for Qualifications for professional services including architecture, landscape architecture, engineering, and construction administration services needed to complete the planning, construction design, and construction of improvements to South Pointe Park.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF THE MIAMI BEACH, that the Mayor and City Commission authorize the Administration to issue a Request for Qualifications (RFQ) for architecture, landscape architecture, engineering, and construction administration services needed to complete the planning, construction design, and construction of the South Pointe Park Improvement Project.

PASSED and **ADOPTED** this ____ day of _____, 2004.

ATTEST:

CITY CLERK

MAYOR

**APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION**



City Attorney



Date

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROPRIATING FUNDS, IN THE AMOUNT OF \$1,450,578, FROM THE FOLLOWING FUNDING SOURCES: \$342,004 FROM THE GENERAL FUND CAPITAL REPLACEMENT FLEET FUNDS FOR FIRE DEPARTMENT VEHICLES; \$435,000 FROM FLEET FUNDS ORIGINALLY ALLOCATED TO PURCHASE FIRE VEHICLES THAT ARE BEING FUNDED THROUGH OTHER FUNDS; \$226,972 FROM THE FISCAL YEAR 2005 DISTRIBUTION OF NORTH BEACH QUALITY OF LIFE FUNDS; \$443,512 FROM THE 1999 GENERAL OBLIGATION BOND FOR SHORELINES AND SEAWALLS; AND \$3,090 FROM THE STORMWATER BOND FUND SERIES 2000, TO PROVIDE SUFFICIENT FUNDING TO COMMENCE CONSTRUCTION OF THE NEW FIRE STATION NO. 4 PROJECT AND THE ADJACENT SEAWALL REPAIRS AND RESTORATION SCOPE.

WHEREAS, on March 20, 2002, the Fire Station No. 4 was designated as a historic site by the Mayor and City Commission and is classified as a contributing building in the City's Historic Properties Data Base; and

WHEREAS, due to site constraints, the proposed improvements were to be conducted in two phases: relocation of the exiting structure to a southwesterly position on the site, and design and construction of a new state-of-the-art, three bay apparatus building; and

WHEREAS, on July 2, 2003, the Mayor and City Commission directed the Administration to pursue demolition of the existing structure based on the fact that the cost for the relocation was significantly higher than initially estimated; and

WHEREAS, pursuant to City Code, Section 118-563, Certificates of Appropriateness for Demolition of such structures are granted or denied in accordance with the procedures set forth therein, including the requirement that the Historic Preservation Board (HPB) hold a public hearing and transmit the recommendation to the City Commission, and if appropriate, that the City Commission then hold a public hearing and vote on the request; and

WHEREAS, on September 9, 2003 the City's HPB held a public hearing to consider the request and then voted 4-3 to recommend granting the request; and

WHEREAS, as part of the review, some requirements were added with regard to landscaping, breeze block, location of a commemorative monument, and shade trees along Indian Creek Drive; and

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WHEREAS, the HPB's recommendation was submitted to the City Commission and, on September 10, 2003, Resolution No. 2003-25336 was adopted, setting a public hearing; and

WHEREAS, on October 15, 2003, Resolution No. 2003-25378 was adopted by the City Commission, granting a Certificate of Appropriateness for Demolition for the existing Fire Station No. 4 structure; and

WHEREAS, the review by the Building and Planning Departments of the new Fire Station No. 4 construction documents was completed on June 14, 2004 and a demolition permit was issued on July 9, 2004; and

WHEREAS, Carivon Construction, Inc. (Carivon) was selected through the Job Order Contracting (JOC) Program to demolish the existing building; and

WHEREAS, demolition of the existing structure is expected to be completed by the end of July 2004; and

WHEREAS, the seawall restoration at the Fire Station No. 4 site was also added to the Project Scope due to its proximity to the fire station foundation; and

WHEREAS, the seawall repairs will be more economical and efficient if performed prior to the construction of the fire station; and

WHEREAS, the designer, Coastal Planning Engineers, has prepared the construction drawings for the seawall restoration and completed the permitting process through both Miami-Dade County DERM and the City's Building Department and the permit is ready to be issued; and

WHEREAS, the seawall portion of the Project is fully funded by the GO Bond allocation for Shorelines and Seawalls; and

WHEREAS, although staff has made every effort to maintain the Project within the funding allocation, this has ultimately not been possible given the programmatic needs of the facility and requirements imposed by different regulatory entities that were not originally anticipated; and

WHEREAS, for the past few months, staff has been reporting that these elements, together, were expected to place the project about \$500,000 over budget; and

WHEREAS, included in this listing are: an increase of the square footage of the new building; upgrading of the venting system to more efficiently eliminate the fumes created by running engines; regulatory requirements for landscaping, exterior parapet wall, and utility connection locations; and the need for a construction contingency.

WHEREAS, the plans have been revised to include a site master plan, of which only the landscaping portion contained within the property lines will be implemented at this point; and

WHEREAS, other requirements include the re-striping of the parking lot and corresponding pedestrian connector to the seawall promenade to meet ADA regulations; and

WHEREAS, Carivon submitted a proposal for the new building and the seawall scope, including the restoration of the existing rip rap, construction of new capping, and repairs to the wood dock decking; and

WHEREAS, the current proposed cost for the fire station exceeds current funding by \$1,003,976; and

WHEREAS, In addition to the already identified project increases, it appears that recent increases for construction materials, such as concrete and steel, are also significantly contributing to the Project's pricing shortfall; and

WHEREAS, in the past six (6) months, the cost for steel has increased by at least fifty percent (50%) and the cost for concrete has increased by at least thirty percent (30%); and

WHEREAS, in order to continue with the Project's construction schedule and to execute the contract with Carivon Construction, the total identified amount of \$1,450,578 needs to be appropriated to complete construction of the new building and seawall project scopes; and

WHEREAS, the Project has been included in the Miami-Dade County General Obligation Bond List for Referendum to be considered in November 2004; consequently, if the County Bond is passed by the voters, additional funding may become available to reimburse the additional funding being sought at this time.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the Mayor and City Commission hereby appropriate additional fund, in the amount of \$1,450,578, from the following funding sources: \$342,004 from the General Fund Capital Replacement Fleet Funds for Fire Department Vehicles; \$435,000 from Fleet Funds originally allocated to purchase fire vehicles that are being funded through other funds; \$226,972 from the Fiscal Year 2005 distribution of North Beach Quality of Life Funds; \$443,512 from the 1999 General Obligation Bond for the Shorelines and Seawall Project; and \$3,090 from the Stormwater Bond Fund Series 2000, to provide sufficient funding to commence construction of the Fire Station No. 4 Project and the corresponding seawall repairs and restoration scope.

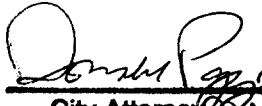
PASSED and ADOPTED this 28th day of July, 2004.

ATTEST:

CITY CLERK

MAYOR

**APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION**



City Attorney



Date